

THE NATIONAL ARCHIVES  
LITTERA SCRIPTA MANET  
OF THE UNITED STATES

# FEDERAL REGISTER

VOLUME 3      1934      NUMBER 19

*Washington, Thursday, January 27, 1938*

## DEPARTMENT OF THE INTERIOR.

### National Bituminous Coal Commission.

[Order No. 201]

A TEMPORARY ORDER AMENDING ORDER NO. 200 AS TO INCLUDE UNTIL FURTHER ORDER OF THE COMMISSION A MINIMUM PRICE FOR COALS HAVING A MAXIMUM TOP SIZE OF THREE-EIGHTHS INCH PRODUCED BY CODE MEMBERS WITHIN DISTRICTS NUMBERS ONE AND SEVEN, AND AMENDING SAID ORDER NO. 200 SO AS TO PROHIBIT THE APPLICATION OF THE TEMPORARY MINIMUM PRICE THEREIN PROVIDED WHEN SALES ARE MADE FOR BY-PRODUCT USE

Order No. 200, issued on the 21st day of January, 1938,<sup>1</sup> provided certain temporary relief by establishing a minimum price for coals having a maximum top size of  $\frac{3}{8}$ " produced by code members within Districts Numbers Two, Three, Four and Six, pending final disposition of petitions therein named or until further order of the Commission, and it now appearing to the Commission that code members within Districts Numbers One and Seven should be afforded such temporary relief as afforded code members within Districts Nos. Two, Three, Four and Six.

Now, therefore, it is hereby ordered:

1. That Order No. 200 is modified and amended and the Schedules of Minimum Prices for Coals of Code Members Produced within Districts Numbers One, Two, Three, Four, Six and Seven, and Supplement No. 1 to Price Schedule No. 1 for each of the respective Districts, be and the same are hereby modified and revised to contain the following provision, as if the same were fully set out therein:

"Code Members who, prior to December 16, 1937, produced and sold  $\frac{3}{8}$ " x 0" or  $\frac{1}{4}$ " x 0" slack are authorized to sell such sizes at a price not in excess of 10¢ under the minimum price established for  $\frac{3}{4}$ " x 0" size for the same mine when for shipment into Market Areas 2, 4, 6, 7, 8, 9 and 10; provided, that no substitution may be made against orders for any  $\frac{3}{8}$ " x 0" or  $\frac{1}{4}$ " x 0" sizes. The temporary price herein provided for  $\frac{3}{8}$ " x 0" or  $\frac{1}{4}$ " x 0" slack shall not apply on sales for by-product use."

2. That except as herein temporarily revised the Minimum Price Schedules and Supplements thereto established for Districts Numbers One, Two, Three, Four, Six and Seven, and the temporary orders previously entered in the dockets referred to in Order No. 200, shall remain in full force and effect until further order of the Commission.

3. That the Secretary of the Commission shall forthwith mail copies of this order to the Consumers' Counsel, to the Secretaries of the Bituminous Coal Producers' Boards, and to Code Members within Districts Numbers One, Two, Three, Four, Six and Seven; and shall cause a copy of this order to be made available for inspection to all interested parties at the office of the Secretary of the Commission and at all

<sup>1</sup> 3 P. R. 229 (DI).

Statistical Bureaus of the Commission; and shall cause a copy of this order to be published in the FEDERAL REGISTER. By order of the Commission.

Dated this 24th day of January, 1938.

[SEAL]

F. WITCHER McCULLOUGH, Secretary.

[P. R. Doc. 38-272; Filed, January 26, 1938; 10:31 a. m.]

## DEPARTMENT OF AGRICULTURE.

### Agricultural Adjustment Administration.

REVISION OF DETERMINATION OF FAIR AND REASONABLE WAGE RATES FOR HARVESTING THE 1937 CROP OF SUGAR BEETS, PURSUANT TO THE SUGAR ACT OF 1937

Whereas Section 301 (b) of the Sugar Act of 1937, approved September 1, 1937, provides as one of the conditions for payment to producers of sugar beets and sugarcane, as follows:

(b) That all persons employed on the farm in the production, cultivation, or harvesting of sugar beets or sugarcane with respect to which an application for payment is made shall have been paid in full for all such work, and shall have been paid wages therefore at rates not less than those that may be determined by the Secretary to be fair and reasonable after investigation and due notice and opportunity for public hearing; and in making such determinations the Secretary shall take into consideration the standards therefor formerly established by him under the Agricultural Adjustment Act, as amended, and the differences in conditions among various producing areas: *Provided, however,* That a payment which would be payable except for the foregoing provisions of this subsection may be made, as the Secretary may determine, in such manner that the laborer will receive an amount, insofar as such payment will suffice, equal to the amount of the accrued unpaid wages for such work, and that the producer will receive the remainder, if any, of such payment.

and

Whereas Section 301 (e) of the said act provides, in part as follows:

The conditions provided in \* \* \* sub-section (b) with respect to wage rates, of this section shall not apply to work performed prior to the enactment of this Act; \* \* \*

and

Whereas the Secretary of Agriculture has held a number of public hearings<sup>1</sup> in the sugar beet area for the purpose of receiving evidence with respect to fair and reasonable wage rates for persons employed in the production, cultivation, or harvesting of the 1937 crop of sugar beets.

Now, Therefore, I, Henry A. Wallace, Secretary of Agriculture, after investigation and due consideration of the evidence obtained at the aforesaid hearings and all other information before me, do hereby determine a fair and reasonable wage rate with respect to the harvesting, after September 1, 1937, of the 1937 crop of sugar beets, which rate for any farm shall be not less than 12 cents per net short ton harvested, in addition to the total amount agreed upon between the producer and laborer; *Provided, however,*

<sup>1</sup> 2 F. R. 2447 (DI).





Published by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. L. 500), under regulations prescribed by the Administrative Committee, with the approval of the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the *FEDERAL REGISTER* will be furnished by mail to subscribers, free of postage, for \$1 per month or \$10 per year; single copies 10 cents each; payable in advance. Remit by money order payable to Superintendent of Documents, Government Printing Office, Washington, D. C.

Correspondence concerning the publication of the *FEDERAL REGISTER* should be addressed to the Director, Division of the Federal Register, The National Archives, Washington, D. C.

## TABLE OF CONTENTS

Department of Agriculture:	
Agricultural Adjustment Administration:	Page
Sugar beets, revision of determination of wage rates for harvesting 1937 crop.....	249
Department of the Interior:	
National Bituminous Coal Commission:	
Minimum price for coals having top size of 3/8," produced by code members, Districts Nos. 1 and 7; price when sales are made for by-product use.....	249
Farm Credit Administration:	
Federal Land Bank of Houston, charges for reamortizing land bank loans.....	250
Regional Agricultural Credit Division, functions, etc., of Director and Assistant Director.....	250
Railroad Retirement Board:	
Appeals within the Board, amendment to regulations governing.....	251

That a producer shall be deemed to have complied with the requirements of Section 301 (b) of the Sugar Act of 1937 in regard to fair and reasonable wages if rates have been paid of not less than \$7.50 per acre for harvesting sugar beets on farms yielding an average of 7 net short tons or less per acre, and in addition thereto 75 cents per net short ton, and fractions thereof in proportion, for each ton harvested per acre for the farm in excess of an average of 7 net short tons per acre; and *Provided further*, That the foregoing shall not be construed to mean that a producer may qualify for payment who has not paid in full the amount agreed upon between the producer and the laborer.

This determination supersedes the "Determination of Fair and Reasonable Wage Rates for Harvesting of the 1937 Crop of Sugar Beets, Pursuant to the Sugar Act of 1937," made by the Secretary of Agriculture on January 20, 1938.

Done at Washington, D. C., this 25th day of January, 1938. Witness my hand and the seal of the Department of Agriculture.

[SEAL]

H. A. WALLACE,  
Secretary of Agriculture.

[F. R. Doc. 38-274; Filed, January 26, 1938; 11:22 a. m.]

\* 3 F. R. 216 (DI).

## FARM CREDIT ADMINISTRATION.

[FCA 72]

### THE FEDERAL LAND BANK OF HOUSTON

#### CHARGES FOR REAMORTIZING LAND BANK LOANS

Pursuant to paragraph "Thirteenth", Section 13 of the Federal Farm Loan Act, as amended, (12 U. S. C. 781 (thirteenth)), and by action of the Executive Committee of The Federal Land Bank of Houston on July 29, 1937, with the approval of the Farm Credit Administration granted on September 29, 1937, the following fees shall be charged in the Tenth Farm Credit District (Texas) in connection with each application to reamortize a Federal land bank loan.

A fee of \$15.00 shall be paid to The Federal Land Bank of Houston by the applicant in connection with each application to reamortize a land bank loan. Of this sum \$5.00 shall be paid to the national farm loan association through which the loan is being serviced, to cover its expense in connection with such application. If, for any reason, the loan is not reamortized, \$10.00 of the fee paid by the applicant will be refunded to the national farm loan association for the benefit of the applicant. If the loan is reamortized the full amount of the fee shall be retained by the bank and the association.

The cost of recording the reamortization agreement shall be paid by the bank; all other costs and fees, such as notarial fees, cost of supplemental abstracts, affidavits, and related papers shall be paid by the applicant.

### THE FEDERAL LAND BANK OF HOUSTON.

[SEAL] By R. D. JOHNSON,  
Vice-President.

[F. R. Doc. 38-275; Filed, January 26, 1938; 11:34 a. m.]

[FCA 73]

### FUNCTIONS, POWERS, AUTHORITIES AND DUTIES OF DIRECTOR AND ASSISTANT DIRECTOR OF REGIONAL AGRICULTURAL CREDIT DIVISION OF FARM CREDIT ADMINISTRATION

1. The Director of the Regional Agricultural Credit Division of the Farm Credit Administration is hereby authorized and empowered, subject to the jurisdiction and control of the Governor of the Farm Credit Administration, to execute and perform all functions, powers, authority and duties which the Governor of the Farm Credit Administration is authorized to do and perform relative to all matters and things arising in connection with the administration of the regional agricultural credit corporations and the provisions of law pertaining thereto.

2. The Assistant Director of the Regional Agricultural Credit Division of the Farm Credit Administration is hereby authorized and empowered to execute and perform all functions, powers, authority and duties pertaining to the office of the Director of the Regional Agricultural Credit Division of the Farm Credit Administration in the event the Director is unavailable to act by reason of absence from the Washington office of the Farm Credit Administration or for any other cause.

3. The provisions hereinbefore set forth shall not operate to limit or restrict the Governor of the Farm Credit Administration in the execution and performance (in Washington or elsewhere) of any functions, powers, authority, or duties vested in him.

4. Farm Credit Administration Order No. 47, dated April 16, 1934, and Farm Credit Administration Order No. 59, dated July 6, 1934, are hereby revoked.

5. The provisions of this order shall be effective as of the opening of business on the date above written and shall remain in full force and effect until amended or revoked by subsequent order.

[SEAL]

F. F. HILL,  
Acting Governor.

[F. R. Doc. 38-276; Filed, January 26, 1938; 11:35 a. m.]



## RAILROAD RETIREMENT BOARD.

AMENDMENT TO REGULATIONS GOVERNING APPEALS WITHIN THE  
RAILROAD RETIREMENT BOARD

Pursuant to the authority conferred by Section 10 of the Railroad Retirement Act of 1937, the Railroad Retirement Board hereby prescribes the following amendment to the Regulations Governing Appeals within the Railroad Retirement Board, promulgated January 17, 1938:

Part II, paragraph 2, of said Regulations<sup>1</sup> is amended by omitting therefrom the final sentence:

<sup>1</sup> 3 F. R. 157 (DI).

"As used herein, a month shall be considered to have elapsed between any date and the date corresponding thereto in the next succeeding month."

The paragraph as amended shall be as follows:

"2. Appeal from an initial decision of the Claims Service shall be made by the execution and filing of the appeal form prescribed by the Board, and must be filed with the Appeals Council within one year from the date upon which notice of the initial decision is mailed to the applicant at the address furnished by him."

By direction of the Board:

[SEAL]

R. B. BRONSON, *Secretary*.

JANUARY 25, 1938.

[F. R. Doc. 38-273; Filed, January 26, 1938; 11:19 a. m.]

